

**REMARKS/ARGUMENTS**

Claims 1 - 19 are pending in the application. Claims 3 - 8 are objected to because of insufficient antecedent basis. Applicant has amended the claims to overcome the objections. Claims 1 and 3 - 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Abrams et al. (U.S. Pat. No. 5,800,757) (hereinafter "Abrams"). Claim 1 has been cancelled and the rejection is considered rendered moot. Claim 2 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Abrams. Claims 7 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Abrams in view of Bowers et al. (U.S. Pub. No. 2003/0154639). Claims 9, 12, 14, 15, and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki et al. (U.S. Pat. No. 4,865,793) (hereinafter "Suzuki") in view of Abrams. Claims 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sukuki in view of Abrams and in further view of Dobler (U.S. Pat. No. 5,520,876). Claim 13 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Abrams and in further view of Assalita et al. (U.S. Pat. No. 5,922,367). Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Abrams and in further view of Hasl et al. (U.S. Pat. No. 4,880,368). Claims 17 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of Abrams and Hasl et al. (U.S. Pat. No. 4,880,368) and in further view of Hellmer et al. (U.S. Pat. No. 4,397,625). Claim 2 has been amended, and support for the amendment can be found in Applicant's Specification from page 4, line 30 - page 5, line 10. Claim 9 has been amended to incorporate the subject matter of dependent claim 14, which is hereby cancelled.

Claim 2 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Abrams. Applicant asserts each and every limitation of amended claim 2 is not taught by Abrams. Claim 2, as amended, requires, in part, "a label formed of a flexible thermoplastic substrate upon which the subject matter of the desired sign is printed;" a planar substrate of injected thermoplastic molded material fused to the label". Abrams does not disclose a label formed of a flexible thermoplastic substrate and a planar substrate of injected thermoplastic molded material fused to the label. In contrast, the extent of Abrams disclosure is limited to a plastic sheet or film 204 which has graphics printed on its front surface 204a and a backside 204b which becomes molded such that it is integrally molded to backboard 200 as a surface texture or finish (Abrams, col. 18, line 59 - col. 19, line 1) as a billet is pressed between mold members 20a' and 20b' (Abrams, col. 19, lines 36 - 56). Therefore, because Abrams does not disclose a label formed of a flexible thermoplastic substrate and a planar substrate of injected thermoplastic molded material fused to the label, Abrams does not anticipate claim 2. Furthermore, because claims 3 - 8 depend upon the limitations of claim 2, Applicant respectfully asserts that Abrams does not anticipate those claims for the same reason.

Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki. Again, Applicant asserts each and every limitation is not met. Claim 9, as amended, requires, in part, "placing a label in the second sign mold portion." Suzuki does not disclose placing a label in the second sign mold portion before closing the first and second mold portions together. In contrast, Suzuki does not provide any disclosure of insert 21 being placed inside metal mold 25; Figures 6 - 8, 9

& 10, 11 - 13, and 14 - 15 represent four embodiments of the invention disclosed in the Suzuki reference, and with each embodiment disclosing that the insert 21 is placed in either stripper plate 26 or guide member 36. (Suzuki, col. 5, lines 36 - 58, col. 6, line 4 - col. 8, line 18).

Claim 9 also requires in part "associating an injection device ... [and an] ... an ejector system with the first sign mold portion ... wherein the ejector system contacts the formed sign on a side opposite from the label." Suzuki further does not disclose an ejector system and an injection device associated with the first sign mold portion and a label placed in the second sign mold portion with the ejector system contacting the side of the formed sign opposite from the label. In contrast, the disclosure of Suzuki's embodiments shown in Figs. 6 - 8 and 11 - 13 discloses the insert 21 and stripper plate 26 associated with mold 25, on a side opposite injector system stationary mold 32, and the embodiment shown in Figs. 9 & 10 disclose insert 21 and guide member 36 associated with the injector system stationary mold 32. Suzuki provides no disclosure of the insert 21 being associated with mold 25 while opposite the stripper plate and ejector system mold 32.

Furthermore, as recognized by the Office Action, Suzuki does not disclose an ejector system that contacts the formed sign on a side opposite from the label, but argues that it would be obvious to one of ordinary skill in the art to provide such an arrangement. Applicant respectfully disagrees. Unlike Suzuki, Applicant's disclosure is directed to a method for constructing signs, and Applicant's orientation of the injector system, ejector system, and label was chosen to solve the problem of either requiring a hole to be placed in the middle of the sign or incorporate a runner system in order to allow molten

plastic to be injected into a mold having an ejection system on the "B" side of the mold. (See Fig. 5, See Paragraphs 006, 009, 0033 - 0035). Neither the teaching of Suzuki nor Abrams confront this problem, and neither reference discloses, explicitly or implicitly, Applicant's solution of associating an ejector system and an injection device with a first sign mold portion and a label placed in the second sign mold portion with the ejector system contacting the side of the formed sign opposite from the label. Based on the above remarks, Applicant asserts that neither Suzuki nor Abrams discloses each and every element of claim 9, and as a result, respectfully requests that the rejection be withdrawn. Furthermore, claims 10 - 19 depend upon the limitations of claim 9, either directly or indirectly, and Applicant respectfully requests that the rejections of those claims be withdrawn for the same reasons asserted with respect to claim 9.

CONCLUSION

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

All fees or extensions of time believed to be due in connection with this response are attached hereto; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Respectfully submitted,



Timothy J. Zarley  
Reg. No. 45,253  
ZARLEY LAW FIRM, P.L.C

Capital Square  
400 Locust Street, Suite 200  
Des Moines, IA 50309-2350  
Phone No. (515) 558-0200  
Fax No. (515) 558-7790  
Customer No. 34082  
Attorneys of Record

- JLH/WRT/jlk -